

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CafeX Communications, Inc., :
: 17 Civ. 1349 (VM)
Plaintiff, :
: **ORDER**
- against - :
:
Amazon Web Services, Inc., :
:
Defendant. :
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VICTOR MARRERO, United States District Judge.

At the March 24, 2017 hearing regarding plaintiff CafeX Communications's ("CafeX") Motion for a Preliminary Injunction ("Motion," Dkt. No. 8.) the Court found that defendant Amazon Web Services, Inc. ("Amazon") violated this Court's Individual Rules of Practice ("Individual Rules") which require that all memoranda "be double-spaced and in 12-point font with 1-inch margins." Individual Rules, Section II.D. (See Dkt. Minute Entry dated March 24, 2017.) Amazon's memorandum of law opposing CafeX's Motion was 24-point spaced, not double spaced, and allowed Amazon to submit a substantially longer memorandum than the 25 pages provided by this Court's Individual Rules.

The flouting of this Court's Individual Rules was a deliberate choice by counsel for Amazon to gain some slight advantage in this litigation. As such, this Court ordered Amazon to replace its memorandum with a compliant memorandum

and submit a declaration stating the cost of filing the revised memorandum. (See Dkt. Minute Entry dated March 24, 2017.) Amazon subsequently filed a compliant memorandum of law (see Dkt. No. 39) and counsel for Amazon submitted a declaration stating that the cost of preparing the compliant memorandum was \$1,048.09. (See Dkt. No. 40.)

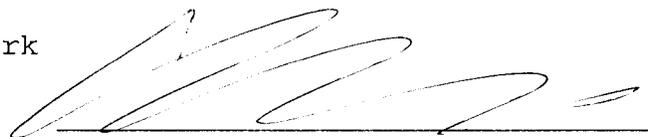
As counsel for Amazon's conduct in subverting this Court's Individual Rules was deliberate, the Court finds that sanctions in the amount of the cost to prepare a compliant memorandum of law is appropriate to deter similar conduct in the future.

As such, it is hereby

ORDERED that counsel for defendant Amazon Web Services, Inc. ("Amazon") shall pay a monetary sanction via check in the amount of \$1,048.09. The check shall be made payable to the Clerk of Court of the Southern District of New York to be paid within thirty days of the issuance of this order. Counsel for defendant Amazon is directed that if they mail the payment, they must also submit a copy of this Order.

SO ORDERED.

Dated: New York, New York
30 March 2017



Victor Marrero
U.S.D.J.